



## **DCR's Volunteers in Parks Program Guide**

*~ Guidelines, Requirements, & Standards ~*

*department of conservation and recreation*



*to protect, promote, and enhance our common wealth  
of natural, cultural, and recreational resources  
for the well-being of all*

COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS  
DEPARTMENT OF CONSERVATION & RECREATION

**Deval L. Patrick**  
Governor

**Richard K. Sullivan, Jr.**  
Secretary, EOEAA



**John P. Murray**  
Commissioner, DCR

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## ***Executive Summary / Overview***

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Volunteers and volunteerism play an important role in DCR's stewardship and recreational mission and are as essential to the sustainability of our parks and forests system as operational funding. As an agency, we recognize the diversity of opportunity in conducting volunteer activities on DCR property and acknowledge that volunteers often seek out these opportunities as individuals or as members of Nonprofit Organizations, such as Friends Groups, environmental and recreational organizations, and other types of community and civic groups. Regardless of how you volunteer, we are grateful for your service and appreciate your time in learning more about DCR's Volunteers in Parks Program. This section is designed to provide a brief overview of this guide and some of the key provisions related to several pertinent topics. We encourage you to review the remainder of this document for more detailed information.

As many readers might know, the development of this guide was largely prompted by the passage in 2007 of a bill entitled "An Act Relative to Volunteers in State Parks," which became codified in MGL c. 21, §17G. This law allows DCR to enhance partnership opportunities with Nonprofit Organizations that seek to organize volunteer activities and fundraising/special event activities on DCR property in instances where these activities further a public purpose of the Department and any funds raised are expended to support or improve a DCR facility or program. In allowing DCR to co-sponsor and participate in volunteer events and activities organized by Nonprofit Organizations, the law empowers DCR to enter into agreements with Nonprofit Organizations that allow the volunteers participating in activities under the agreement to enjoy the Commonwealth's liability protections in MGL c. 258 as "uncompensated public employees" (much like volunteers under supervision of the Department currently enjoy). Achieving the intent of the 2007 legislation as it pertains to DCR's relationship and partnership with Nonprofit Organizations and their volunteers is therefore a key goal of this program guide.

In addition to implementing the above-mentioned statutory provisions, DCR approached the development of this guide as an opportunity to achieve the goal of standardizing and simplifying the process for proposing, reviewing, and conducting all volunteer activities – whether under the supervision of the Department or a Nonprofit Organization – on DCR property statewide. In doing so, we have established a single Volunteer/Stewardship Agreement (VSA) Form that can be used by individual volunteers and Nonprofit Organizations alike to propose a wide variety of one-time or on-going volunteer projects that can range from common stewardship activities, like litter cleanup and landscaping, to fundraising and special event activities organized by Nonprofit Organization partners. As it relates to review of proposed VSA Forms, this guide sets clear expectations and timelines for both stewardship activities and special event activities while also establishing a streamlined review process for many of the most common stewardship activities.

DCR also recognizes that concerns around liability; risk; and the protection of volunteers, DCR staff, the public, and the resources under our care are paramount. As an agency that interacts with the public and provides a direct public service on a daily basis, promoting a safe environment is a critical goal. In working with volunteers and Nonprofit Organizations we will strive to promote best practices and support effective management and leadership to ensure rewarding and safe volunteer experiences. Given the general drive to provide a positive public service that frequently motivates volunteers to give of their time and talents, we hope and certainly expect that our partners will share in DCR's efforts to promote safety and ensure that all regulatory requirements are met prior to engaging in more complex and dynamic volunteer activities.

Whether you are new to volunteering with DCR or a long-time partner, we trust that this guide will provide sufficient and succinct information to help you understand our process and to steer you in the right direction. Once again, thank you for your interest in serving and volunteering. We hope that this guide will serve as a living document that allows us to continually improve and enhance our encouragement and support of volunteer stewardship.

## ***I. Welcome***

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The Massachusetts Department of Conservation and Recreation (DCR) welcomes our volunteers and their active participation in the stewardship of the natural, cultural, and recreational resources in the Agency's care. You support our professional staff in achieving DCR's mission of protecting, promoting, and enhancing these resources for the enjoyment and well-being of current and future generations. You bring real, visible improvements to our public lands and you enhance the range and availability of programs that help others to understand our natural and cultural resources. Through your commitment, you help expand public awareness and understanding of resource management decisions, strengthen ecological values in our communities, and build public support for the Commonwealth's parks and forests. By sharing your time, talents, and effort you enrich the experience of visitors, help preserve sensitive natural and cultural resources, keep active, and engage in rewarding stewardship that reflects your personal values and the values of our communities and our Commonwealth. DCR welcomes you and thanks you.

## ***II. Your Stewardship Role***

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Volunteer activities can take many forms and can often involve individual and/or small group projects as well as larger-scale efforts involving a greater number of volunteers associated with Nonprofit Organizations.

Some of the most common volunteer stewardship activities are listed below:

- General clean-ups of an area, including litter and refuse removal.
- Assisting DCR staff with educational programs or events.
- Removing invasive plant species.
- Researching historical or scientific information regarding park resources or property.
- Maintaining a park's recycling center; sorting recyclable materials from non-recyclable materials.
- Planting flowers, trees or shrubs to enhance landscaping, create habitat or otherwise enhance a DCR property or facility.
- Performing minor trimming or weeding with hand tools.
- Performing trail maintenance activities with hand tools such as removing fallen limbs, trimming brush, and maintaining drainage structures, creating steps, re-blazing existing trails, and maintaining existing bog bridges.
- Organizing activities or events intended to promote public awareness and appreciation for park resources.



For the protection of our volunteers and the Commonwealth, the following provisions must be observed by volunteers:

- Volunteers may not operate state-owned vehicles, including pick-up trucks, golf carts, or other vehicles. However, volunteers may ride as passengers in state vehicles only while performing assigned duties or services.

- Although volunteers may not operate state-owned power equipment, volunteers may use and operate personal or Nonprofit Organization-owned power equipment (such as chainsaws) when conducting stewardship activities when these activities have been authorized by DCR in a Volunteer/Stewardship Agreement Form.
- Volunteers may not collect parking fees, camping fees, or other revenue from the public, including disbursement of park funds to the public or other volunteers.
- Volunteers may not wear DCR uniforms or represent themselves as DCR employees.
- Volunteers may not engage in any duty or activity that may be considered direct enforcement of park rules or regulations or other state regulation or law.

### ***III. Getting Started***

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#### **Communication is Key**

The most important ingredient in a safe and effective stewardship experience is communication. Timely and efficient communication ensures a clear, shared understanding of the agency's stewardship needs and the volunteer's interests. This section outlines the communication process for stewardship activities.

#### **Working with DCR Staff**

DCR is truly fortunate to have such a remarkable team of dedicated, skilled, and professional staff members who contribute their expertise on a daily basis to the management and stewardship of the Massachusetts parks system. They bring years of education and experience in their profession and a strong understanding of the regulatory, natural resource, and public safety concerns that may influence a stewardship project. They are happy to share that knowledge with you. Effective

communications with our field staff will result in a better volunteer experience for you, and a better project outcome. We benefit from the interactions too, as our professional staff gains a richer understanding of community interests, leaders, and values.

#### **The First Step: The Volunteer/Stewardship Agreement Form**

The first step in the process is the Volunteer/Stewardship Agreement Form (VSA). The VSA Form ensures that DCR staff and the volunteer or Nonprofit Organization have a clear and common understanding of the scale, scope, and timing of the proposed stewardship activity. Nonprofit Organizations or volunteers that perform stewardship activities throughout the course of the year may also propose and request approval of these ongoing activities under a single VSA Form (see Appendix A for further explanation of the Volunteer/Stewardship Agreement Form and Appendix B for a copy of this form).

Volunteers or Nonprofit Organizations must submit a VSA Form to the Facility Supervisor or manager of the property where they would like to conduct a stewardship activity.

To ensure adequate coordination between DCR and the project proponent, volunteers and Nonprofit Organizations who propose only stewardship activities need to submit their VSA Form to DCR **at least 14 days prior** to the proposed date of a volunteer activity (see Appendix A for further explanation of stewardship activities). The Agency may waive the 14-day requirement in the case of Common Volunteer Activities listed in Section II of this guide. In cases involving stewardship activities in sensitive or regulated areas requiring state or local environmental permits,



volunteers and Nonprofit Organizations should consult early with DCR staff to determine how far in advance to submit their VSA Form to ensure ample time to complete these permitting processes. As owner and steward of its properties, DCR staff will work with volunteers and Nonprofit Organizations to accomplish these tasks.



### **Review and Approval of VSA Forms**

DCR will review the VSA Form to ensure that the proposed stewardship activities conform to DCR's mission and are consistent with the management objectives for the facility where the activities are to occur.

In general, and depending upon the complexity of the activities proposed, VSA Forms will be reviewed and a response will be issued by DCR within 14 days

of receipt. In most cases, VSA Forms that only propose stewardship activities listed among the "Common Volunteer Stewardship Activities" identified in Section III of this guide may be reviewed and approved more quickly.

Upon approval of a VSA Form, DCR will be considered a co-sponsor and participant in the proposed stewardship activities and any participating volunteer or Nonprofit Organization volunteer who also submits a Volunteer Release Form before beginning his/her volunteer duties will be considered an "uncompensated public employee" within the meaning of MGL c. 258 while acting within the scope of their authorized volunteer activities (see Appendix A for further explanation of the Volunteer Release Form and Appendix C for a copy of this form). Volunteers must also appear on the Volunteer Service Log in order to be considered recognized volunteers.

### **Protecting Our Volunteers and the Commonwealth**

In reviewing VSA Forms and determining whether to co-sponsor a stewardship activity, DCR will exercise its full discretion in assessing the magnitude of potential risks and the capacity of the proponent and/or their volunteers to manage or mitigate those risks. The agency reserves the right to require proponents to obtain any required permits or certifications as part of DCR's approval process. Any stewardship activities proposed in a VSA Form may be denied if, in the Agency's estimation, the activities:

- present a significant safety risk to volunteers, DCR employees, or the general public and the proponent cannot demonstrate the capacity to effectively manage or mitigate those risks;
- include work with certain power tools or equipment for which volunteers are unable to demonstrate adequate training or knowledge of safe operation;
- would likely create a negative impression about the Department or the parks system;
- would likely impose excessive liability upon the Department and Commonwealth; or
- impose additional and/or unreasonable costs on the Department.



Although Nonprofit Organizations may propose volunteer stewardship activities involving the use of chainsaws by volunteers, in reviewing these proposals DCR will consider the following factors:

- A Nonprofit Organization's demonstrated experience and history of safe and effective practices in chainsaw operation.

- The scope, scale, and complexity of the proposed project.
- The anticipated project completion time.

DCR requires that volunteers operating chainsaws wear proper personal protective equipment and also encourages volunteers to complete specific training for the safe operation of chainsaw equipment use in stewardship activities.

Volunteers or Nonprofit Organizations that engage in activities without an approved VSA Form or perform activities beyond the scope of an approved VSA Form without prior consent from DCR may be precluded from performing future volunteer stewardship activities on DCR property.

#### ***IV. Volunteer Fundraising/Special Event Activities***

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Massachusetts law allows DCR to co-sponsor fundraising/special event activities during which a Nonprofit Organization charges admission or solicits donations. However, in accordance with the law, DCR may only enter into such a co-sponsorship arrangement when the event or activity furthers a public purpose relevant to DCR and the funds raised are used to support or improve a DCR program or property.

##### **The First Step: The Volunteer/Stewardship Agreement Form**

Once again, the first step in proposing such events or activities is the submittal of a Volunteer/ Stewardship Agreement Form to the Facility Supervisor or manager of the property where the event will take place. The VSA Form ensures that DCR staff and the Nonprofit Organization have a clear and common understanding of the scale, scope, and timing of the proposed fundraising/special event activity. Nonprofit Organizations that perform multiple fundraising/special event activities may also propose and request approval of these reoccurring activities under a single VSA Form.



To ensure adequate coordination between DCR and the event proponent, Nonprofit Organizations need to submit their VSA Form to DCR at least **45 days prior** to the proposed fundraising/special event. Event proponents are encouraged to attach and submit any relevant additional information such as route maps, site set up diagrams, schedule, and any other event details that may assist the Agency in its review.



##### **Review and Approval of VSA Forms**

After receiving a VSA Form, DCR will then review it in order to determine whether to co-sponsor the event(s). As a part of the review process, DCR will ascertain whether the proposed fundraising/special event activity conforms to the statutory constraints in MGL c. 21, §17G requiring that the event or activity further a public purpose relevant to DCR and that any funds raised are used to support or improve a DCR program or property.

If DCR approves a VSA Form that includes fundraising/special event activities, the Agency will be considered a co-sponsor and any participating volunteer of the Nonprofit Organization who also submits a Volunteer Release Form before beginning his/her volunteer duties will be considered an “uncompensated public employee” within the meaning of MGL c. 258

while acting within the scope of their authorized volunteer activities. Volunteers must also appear on the Volunteer Service Log in order to be considered recognized volunteers.

### **Protecting Our Volunteers and the Commonwealth**

It is important to remember that certain event-related activities, such as setting up of tents, staging, and scaffolding, will require approval from the Massachusetts Department of Public Safety and that the on-site preparation of food may require approval from the local Board of Health and/or Fire Department. The Nonprofit Organization proposing such activities must seek and obtain any necessary permits from state or local agencies beyond DCR's jurisdiction.

In reviewing VSA Forms and determining whether to co-sponsor a fundraising/special event activity, DCR will exercise its full discretion in assessing the magnitude of potential risks and the capacity of the Nonprofit Organization and/or its volunteers to manage or mitigate those risks. As such, the agency reserves the right to require proponents to obtain or demonstrate possession of any required permits or certifications as part of DCR's approval process. Any fundraising/special event activities proposed in a VSA Form may be denied if, in the Agency's estimation, the activities:

- present a significant safety risk to volunteers, DCR employees, or the general public and the proponent cannot demonstrate the capacity to effectively manage or mitigate those risks;
- would likely create a negative impression about the Department or the parks system;
- would likely impose excessive liability upon the Department and Commonwealth; or
- impose additional and/or unreasonable costs on the Department.

Nonprofit Organizations that engage in fundraising/special event activities without an approved VSA Form or perform activities beyond the scope of an approved VSA Form without prior consent from DCR may be precluded from performing future fundraising/special event activities on DCR property.

### **Financial Reporting for Fundraising/Special Event Activities**

The law that allows DCR to co-sponsor fundraising events also requires that Nonprofit Organizations who conduct these events provide the Department with an accounting of the funds and expenditures associated with each fundraising/special event activity in which DCR serves as co-sponsor. Within 30 days of a fundraising/special event activity, the Nonprofit Organizations must submit a record of all funds raised and expenses associated with the event and demonstrate how the funds will be used to support or improve a DCR program or property.

## ***V. Liability Protection For Volunteers***

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When individuals are engaged in volunteer activities under the direct supervision and authorization of the Department, they are normally protected under the state's Tort Claims Act (MGL c. 258) as "uncompensated public employees" while they are performing the duties and responsibilities within the scope of an approved volunteer project for the Department.

Volunteers engaged in projects on DCR property (including fundraising/special event activities) directly supervised and managed by a Nonprofit Organization, however, did not previously enjoy liability protections under these same provisions. This often required Nonprofit Organizations to obtain liability insurance when performing activities on DCR property. In 2007, An Act Relative to Volunteers in State Parks was enacted by the Massachusetts State Legislature and signed into law by Governor Deval Patrick. The Act allows DCR to co-sponsor



and participate in events and activities as described in Section V of this guide and provides that the volunteers of Nonprofit Organizations may also be considered “uncompensated public employees” and enjoy the Commonwealth’s liability protections under MGL c. 258 while acting within the scope of approved activities.

### **Volunteer Release Form**

Volunteers – whether working individually or on behalf of a Nonprofit Organization – must complete a Volunteer Release Form (see Attachment C) in order to receive the Commonwealth’s liability protections as an “uncompensated public employee.” Volunteers must also appear on the Volunteer Service Log in order to be considered recognized volunteers.



This form must be completed and submitted to DCR or the supervising Nonprofit Organization before a volunteer begins his/her duties and may be signed and submitted on the same day of a volunteer activity. When volunteers participate in multiple or ongoing activities that are contained in a VSA Form they only need to complete one Volunteer Release Form for the activities contained in the Volunteer/ Stewardship Agreement.

Nonprofit Organizations are responsible for submitting any signed Volunteer Release Forms to the Facility Supervisor or manager within 5 days of beginning a volunteer activity or event. For example, if an activity occurs on Saturday, completed and signed release forms are due to DCR by the following Thursday.

DCR will maintain copies of Volunteer Release Forms together with the applicable VSA Form at the appropriate facility or district office.

It is important to note that volunteers, whether under the supervision of DCR or a Nonprofit Organization cannot be indemnified for intentional torts or a violation of a person’s civil rights under MGL c. 258, §9.

## ***VI. Documenting & Reporting Volunteer Service***

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### **Volunteer Service Log**

DCR sincerely appreciates the stewardship efforts of our volunteers and has established a process to record your contributions. Each DCR facility will maintain a Volunteer Service Log, signed by the facility supervising staff member or Nonprofit Organization authorized representative(s) to record the volunteer names, dates of each volunteer’s service at the facility for each specific project, and number of volunteer service hours committed to all volunteer activities approved under the Department’s volunteer program.

For the purposes of DCR’s VIP Program and the liability protections offered through this program, service hours recorded in the Volunteer Service Log should be reflective of the actual time spent by a volunteer on DCR property.



Nonprofit Organizations conducting volunteer activities under an approved VSA Form must collect and enter the relevant data into the Volunteer Service Log and provide this information to the appropriate DCR facility staff within 5 days of completing an approved volunteer activity.

For those volunteer activities where the volunteer is working directly with and under the supervision of DCR staff, the supervising staff member will be responsible for collecting and entering the relevant data into the Volunteer Service Log within 2 days of completing an approved volunteer activity.

To be considered a volunteer and to enjoy the liability protections provided to an uncompensated public employee (under MGL c. 258), the volunteer's information must appear in the Volunteer Services Log. A Volunteer Services Log for each facility will be maintained by DCR at the appropriate facility or district office.

## ***VII. Questions, Suggestions, and Comments***

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The Department of Conservation and Recreation sincerely appreciates your contribution to Massachusetts State Parks. Our volunteers improve our parks, enhance our agency and strengthen our Commonwealth. We also welcome your questions, suggestions, and comments to help improve our encouragement and support of volunteer stewardship. Please direct any questions, comments, or suggestions to Gary Briere at [gary.briere@state.ma.us](mailto:gary.briere@state.ma.us).

## Appendix A – Important Terms

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Co-sponsor refers to DCR's determination to assume joint responsibility with a Nonprofit Organization for events or volunteer activities in a Volunteer/Stewardship Agreement Form. When DCR chooses to co-sponsor a volunteer activity, volunteers may be considered "uncompensated public employees" under MGL c. 258 and enjoy the protections of the Commonwealth's liability protections.

**Nonprofit Organization** refers to a Friends Group, Organized Community Group, or Activity-Oriented Group<sup>1</sup> that is either:

- a registered 501(c)(3) nonprofit, tax-exempt organization; or
- a not-for-profit organization that serves a public benefit and is operated primarily for charitable, civic, education, religious, welfare, or health purposes.

**Volunteer** refers to an individual who performs services for a Nonprofit Organization or DCR who does not receive compensation or any other thing of value in place of compensation in excess of \$500 per year. This term includes volunteers serving as a director, officer, trustee, or direct service volunteer. Volunteers who perform volunteer duties that are consistent with and under an approved Volunteer/Stewardship Agreement Form may be considered "uncompensated public employees" (and therefore covered under the Commonwealth's liability protections pursuant to MGL c. 258 and the provisions in MGL c. 21, §17G) while performing those duties.

**Volunteer Activity** refers broadly to two different categories of volunteer activities that are contemplated and mentioned in this document.

- **Stewardship Activities:** Encompasses activities undertaken by volunteers or a Nonprofit Organization on DCR property that may include, but are not limited to, interpretive educational activities, trail clearing, planting, and litter pick-up. Volunteers engaged in stewardship activities may be supervised by DCR staff or by a Nonprofit Organization.
- **Fundraising/Special Event Activities:** Within the context of DCR's VIP Program and this guide, fundraising/special event activities applies to events or activities coordinated by a Nonprofit Organization and co-sponsored by DCR through an approved Volunteer/Stewardship Agreement Form. MGL c. 21, §17G allows DCR to partner with Nonprofit Organizations that seek to organize fundraising/special event activities on DCR property. In addition, the law sets for two criteria the agency must use in determining whether to co-sponsor an event. In determining whether to co-sponsor a fundraising/special event activity, DCR will use its discretion to ascertain that (1) the event or activity furthers a public purpose relevant to DCR and (2) that any funds raised will be used to support or improve a DCR program or facility. When DCR chooses to co-sponsor a fundraising/special event activity with a Nonprofit Organization, the agency will not charge the Nonprofit Organization a permit fee for use of a DCR property.<sup>2</sup>

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<sup>1</sup> Friends Groups are organized to support a specific park or group of parks and play a role in projects that include, but are not limited to, events, advocating for park resources, promoting park activities, and raising funds to support park programs and infrastructure improvements. Organized Community Groups or Activity-Oriented Groups include scout troops, civic organizations, garden clubs, trail groups, and other groups that support a park or group of parks as a secondary aspect of their organizational mission or purpose. These groups frequently volunteer their skills, energy, and expertise on a specific project or projects at DCR properties.

<sup>2</sup> DCR recognizes that some Nonprofit Organizations may wish to conduct fundraising/special event activities on DCR property without DCR's co-sponsorship. In cases where DCR determines that a proposed fundraising/special event activity does not meet the criteria set forth in MGL c. 21, §17G or a Nonprofit Organization chooses not to request DCR co-sponsorship, organizations may still request use of a DCR property for a fundraising/special event using the Agency's existing Special Use Permit process.

**Volunteer/Stewardship Agreement (VSA) Form** refers to an agreement between DCR and a volunteer or a Nonprofit Organization that may include stewardship activities and/or fundraising/special event activities.<sup>3</sup> A VSA Form may include a single volunteer activity or several volunteer activities over a specified period of time. Submittal of a VSA Form serves as the first step in requesting DCR's approval of a volunteer activity and co-sponsorship. Specifically, the VSA Form:

- Documents and formalizes DCR's approval and co-sponsorship of a proposed volunteer activity.
- Documents the scope of the volunteer activities and logistical information.
- Documents any requisite training/certifications required for performing certain volunteer activities or any necessary state/local permits
- Allows any volunteer who submits a signed Volunteer Release Form to be considered an "uncompensated public employee" and therefore covered under the Commonwealth's liability protections in MGL c. 258. See Section VI of the Volunteers in Parks Program Guide for more information.

**Volunteer Release Form** allows an individual to be considered a "volunteer" according to the guidelines in this document and to receive the liability protections provided to an uncompensated public employee under MGL c. 258. With regard to Volunteer Release Forms, it is important to note:

- Volunteers must sign and submit a Volunteer Release Form to DCR or to the supervising Nonprofit Organization coordinating the volunteer activities before starting their duties. While volunteers may sign and submit their release form to DCR or the Nonprofit Organization either before or on the day in which they choose to volunteer, the main point is that volunteers must sign the release form before they are allowed to begin their duties in the field.
- Nonprofit Organizations are responsible for submitting any signed Volunteer Release Forms to the Facility Supervisor or manager within 5 days of beginning a volunteer activity or event. For example, if an activity occurs on Saturday, completed and signed release forms are due to DCR by the following Thursday.
- DCR shall maintain copies of Volunteer Release Forms together with the applicable VSA Form at the appropriate facility or district office.
- When a VSA Form includes a variety of ongoing volunteer activities co-sponsored with DCR, volunteers participating in those activities only need to complete one Volunteer Release Form for the activities contained in the Volunteer/Stewardship Agreement.

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<sup>3</sup> As it pertains to fundraising/special event activities, only Nonprofit Organizations may propose and request DCR co-sponsorship of these types of activities.



DATE RECEIVED AT DCR:

VSA FORM REFERENCE NUMBER:

**Appendix B – DCR Volunteer/Stewardship Agreement (VSA) Form**

*Established pursuant to DCR's Volunteers in Parks Program  
August 2012 [Draft]*

**INSTRUCTIONS**

DCR's VSA Form is expected to serve as the primary vehicle for proposing volunteer activities on DCR property pursuant to DCR's Volunteers in Parks Program: Guidelines, Requirements, & Standards. Before completing this form, we encourage you to review this guide.

If approved, the VSA Form will serve as an agreement between DCR and the project/event proponent and will act as documentation of DCR's co-sponsorship of a volunteer activity. The VSA Form may be used by individual volunteers or Nonprofit Organizations when proposing volunteer activities on DCR property. The VSA Form may be used to propose a single volunteer activity or several volunteer activities. Nonprofit Organizations may also use this form to propose and request DCR co-sponsorship of volunteer fundraising/special event activities on DCR property.

Please complete all applicable fields on this form to the best of your ability so we can assist you in having a successful volunteer experience. Attach any additional relevant information (such as maps, diagrams, schedules, etc.) that will be helpful in DCR's review.

If your form proposes any fundraising/special event activities, please submit your completed form to the DCR facility supervisor or manager at least 45 days prior to the proposed event date(s).

If your form only proposes volunteer stewardship activities that do not include any fundraising/special events, please submit your completed form to the DCR facility supervisor or manager at least 14 days prior to the proposed date of your volunteer activity.

If any of the information on this form changes, please notify DCR as soon as possible.

There is no fee for submitting this form to DCR for review and consideration.

**PART A – APPLICANT / ORGANIZATIONAL CONTACT INFORMATION****Main Contact / Applicant Information**

Name: \_\_\_\_\_ Phone : \_\_\_\_\_  
Address: \_\_\_\_\_ Cell: \_\_\_\_\_  
\_\_\_\_\_ Email: \_\_\_\_\_

**Group / Nonprofit Organization Information (if applicable)**

Name of Organization: \_\_\_\_\_  
Director/President's Name: \_\_\_\_\_  
Organization Website: \_\_\_\_\_  
Organization Address: \_\_\_\_\_  
\_\_\_\_\_ Phone: \_\_\_\_\_



## PART B – VOLUNTEER ACTIVITY INFORMATION

### Volunteer Activity Descriptions & Logistics *(If you need more space for any question, please attach on a separate page)*

**Activity Detailed Description** *(Include any information describing anticipated goals, outcomes, or benefits. Attach any site set-up maps, route maps, road or lane closures, etc. to assist in DCR's review. If proposing a fundraising/special event, please answer Part C on the next page.):*

*Note: Certain activities may require appropriate environmental permits from state agencies or local conservation commissions.*

**Location** *(You may also attach maps to assist DCR in its review):*

**Timeframe:**

*If the proposed activity is intended to occur on specific dates and times please complete the chart below:*

Date(s)	Set-up Time	Activity Start Time	Activity End Time	Clean-up End Time

*If the proposed activity is seasonal or on-going in nature, please use the space below to describe the approximate time of year, number of months and/or days anticipated to perform the activity during the course of a year:*

**Tools & Equipment** *(Please list any tools or equipment that will be used or set-up during the activity. This might include items such as power tools, portable toilets, tents, stages, pickup trucks, food service equipment, etc.):*

*Note: Individuals operating certain power tools, such as chain saws, may require evidence of training certification.*

*Note: Set-up and use of certain equipment such as tents, stages, and food service equipment may require permits from state or local public health/safety agencies*

**Equipment, Utilities, & Facility Requests** *(Please list anything you are requesting that DCR provide. This might include equipment like trash bags or gloves, use of restrooms, use of electricity, etc.):*

**Training & Certifications** *(Please list any training or certifications you or your volunteers will need in order to complete the proposed activities):*

**Participant Estimates:**

Number of Volunteers:

Number of Spectators or Event-goers *(if applicable)*:

**Refreshment / Food Service** *(If applicable, please use the space below to describe any refreshments or food you plan to serve and any vendors you plan to utilize for food service):*

*Note: Service of food may require evidence of a permit from local public safety/health agency*

## PART C – NONPROFIT ORGANIZATION FUNDRAISING/SPECIAL EVENT ACTIVITIES

### For Nonprofit Organization Applicants Only:

MGL c. 21, §17G allows DCR to co-sponsor fundraising/special event activities on DCR property with Nonprofit Organizations so long as the event/activity (a) furthers a public purpose of the Department and (b) any funds raised are used and expended only for supporting or improving a DCR facility or program. If DCR chooses to cosponsor it may extend the Commonwealth's liability protections to your volunteers according to the provisions in DCR's Volunteers in Parks Program: Guidelines, Requirements, & Standards.

Is your organization proposing any fundraising/special event activities as part of this agreement? ☐ Yes ☐ No

If yes, please use the space below to describe how your event (a) furthers a public purpose of the Department and (b) how any funds raised will be used and expended for supporting or improving a DCR facility or program.

## PART D – APPLICANT SIGNATURE

By signing, I certify that I have reviewed, understand, and agree to abide by the provisions in DCR's Volunteers in Parks Program: Guidelines, Requirements, & Standards and that the foregoing information accurately reflects the nature, scope, and extent of the volunteer activities and/or fundraising/special event activities proposed. I also understand that this agreement does not take effect until the appropriate DCR staff member signs in the appropriate place below.

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Title & Organization, if applicable)

\_\_\_\_\_  
(Signature)

## PART E – DCR SIGNATURE

Proposed Volunteer/Stewardship Activities contained in this Agreement have been reviewed and are:

- ☐ Approved with no additional comments or conditions  
☐ Approved with the following special conditions:

DCR hereby cosponsors the activities contained herein and extends the Commonwealth's liability protections to volunteers participating in these activities pursuant to the provisions in DCR's Volunteers in Parks Program: Guidelines, Requirements, & Standards and MGL c. 21, §17G.

This Agreement shall be valid beginning on the date indicated below and shall be valid through \_\_\_\_\_  
(Month / Day / Year)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Signature)



## Appendix C

### Massachusetts Department of Conservation and Recreation Volunteer Release Form

I, \_\_\_\_\_ (Your Name), a member of or participant in the activities sponsored by \_\_\_\_\_, (Name of the Organization, if applicable), understand the work that I have volunteered to do and I hereby state that I am qualified and physically capable of accomplishing the work and activities for which I have volunteered, and that I will perform them as directed by a properly authorized supervisor. I also agree to comply with all DCR rules and regulations.

I hereby release the Commonwealth of Massachusetts and the Department of Conservation and Recreation (DCR), their employees, and agents from all claims, loss, damage, expenses and/or injuries, whether to person or to property, which may result from my actions while participating in volunteer activities or projects approved or sponsored by the Department. I further agree to indemnify, defend, and hold harmless the Commonwealth of Massachusetts and the DCR, their employees, and agents from liability for any damage or injuries resulting from my actions while participating in volunteer activities or projects approved or sponsored by the Department, that are found to be outside the scope of approved activities or projects.

I acknowledge that, by participating in such volunteer activities and projects, I have not received an appointment to state service and I will not receive a salary or payment from the Commonwealth. As such, I understand that I am not entitled to Workers Compensation for any injury suffered while involved in volunteer work or projects for the DCR and, further, that I will provide my own health insurance.

I recognize that MGL c. 21, §17G provides that, pursuant to the provisions, requirements, and limitations of MGL c. 258 and the guidelines adopted by DCR, I shall not be liable for injury or loss of property or personal injury or death caused by my negligent or wrongful act or omission while acting within the scope of my volunteer activities. However, I acknowledge that I will not be indemnified under MGL c. 258, §9 for intentional torts that or for the violation of a person's civil rights. I also acknowledge that in any litigation, the final determination of whether a person is considered an uncompensated employee is made the Attorney General's Office.

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

(For persons under 18 years of age, a Parent or Legal  
Guardian must sign.)

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**Emergency Contact:** \_\_\_\_\_

**Phone:** \_\_\_\_\_

**Relationship:** \_\_\_\_\_

Appendix D – Volunteer Service Log



Department of Conservation & Recreation  
Volunteer Service Log

Facility Location: \_\_\_\_\_



Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Org.: \_\_\_\_\_

Date of Volunteer Service	Volunteer Name	VSA Form Reference Number	Volunteer Activities Performed (General/Brief Description)	Number of Service Hours	Notes / Project Status

## ***Appendix E – Authorizing Legislation***

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In 2007, *An Act Relative to Volunteers at State Parks* was enacted by the Massachusetts State Legislature and signed into law by Governor Deval Patrick. This Act declared “that volunteer activities and events serve an important public purpose, assist in the enhancement, preservation and improvement of the park system in the Commonwealth, and that a program is required to help foster and assist in the stewardship of [DCR] properties through encouraging volunteer activities and partnerships with nonprofit organizations” (codified in MGL c. 21, §17G). In addition to this, the Act also allowed DCR to co-sponsor and participate in events and activities, including fundraising events, organized by Nonprofit Organizations in which “the event or activity furthers a public purpose of the department and the funds are used and expended by the nonprofit organization or department only for supporting or improving a facility or program of the department.”

In allowing DCR to enter into agreements with Nonprofit Organizations for volunteer activities, the Act also specified that where DCR chooses to co-sponsor an event or activity organized by a Nonprofit Organization, the volunteers of the Nonprofit Organization may also be considered “uncompensated public employees” and enjoy the Commonwealth’s liability protections under MGL c. 258 while acting within the scope of the activities contained in the agreement. According to the Act, these activities may include stewardship activities, such as those mentioned in Section III of this guide, as well as fundraising and/or special event activities in which the event serves a public purpose relevant to DCR and any funds raised are used to support or improve a DCR program or facility.<sup>4</sup>

In light of the mandates and conditions outlined above, this guide is intended to coordinate all volunteer activities on DCR property and to meet the intent of MGL c. 21, §17G to establish guidelines, requirements, and standards that satisfy its core objectives of:

- Outlining the process for approving and authorizing volunteer projects and registering volunteers.
- Providing guidance on delegating the direction, control, safety, and supervision of volunteers to Nonprofit Organizations.
- Facilitating the reporting to DCR of funds generated and expenses incurred by Nonprofit Organizations during a fundraising/special event activity on DCR property.
- Considering the volunteers of Nonprofit Organizations as “uncompensated public employees” under MGL c. 258 when they are performing volunteer duties and responsibilities consistent with an approved agreement between the Nonprofit Organization and DCR.

It is important to note that the guidelines in this document only apply to activities performed by volunteers, or the volunteer members of a Nonprofit Organization, that have been authorized by DCR on DCR property.

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<sup>4</sup> DCR recognizes that some Nonprofit Organizations may wish to conduct fundraising/special event activities on DCR property without DCR’s co-sponsorship. In these cases, organizations may still request a Special Use Permit using the Agency’s existing Special Use Permit Process. For additional information on DCR’s Special Use Permit Application process please visit: <http://www.mass.gov/dcr/permits/index.htm>.





**PART I-** ADMINISTRATION OF THE GOVERNMENT (Chapters 1 through 182)

**TITLE II-** EXECUTIVE AND ADMINISTRATIVE OFFICERS OF THE COMMONWEALTH

**CHAPTER 21-** DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

**Section 17G-** Agreements with nonprofit organizations for stewardship services; charge or solicitation of donations for activity or event on department of conservation and recreation property; liability of volunteer; posting of volunteer guidelines on website

Section 17G. (a) For purposes of this section, the words "nonprofit organization" and "volunteer" shall have the same meaning as used in 42 U.S.C. 14505.

(b) The department of conservation and recreation may co-sponsor and participate in an event or activity on department property with a nonprofit organization at which the nonprofit organization may be allowed to charge, or solicit or receive donations of funds at the event or activity, if the event or activity furthers a public purpose of the department and the funds are used and expended by the nonprofit organization or department only for supporting or improving a facility or program of the department. The nonprofit organization shall report to the department and provide an annual accounting of the funds and expenditures.

(c) To encourage and further public participation in stewardship to educate, promote, clean, maintain or improve facilities of the department of conservation and recreation, the department may enter into agreements with nonprofit organizations regarding volunteers participating in the stewardship on department property. If the department enters into an agreement to co-sponsor or participate in an event or activity with a nonprofit organization, pursuant and subject to chapter 258 of the General Laws and the guidelines adopted by the department under this section, a volunteer of the nonprofit organization shall not be liable for injury or loss of property or personal injury or death caused by the negligent or wrongful act or omission of the volunteer while acting within the scope of the volunteer's activities under the agreement.

(d) The department shall post on its website for public review and subsequently establish guidelines, requirements and standards for: (1) authorizing and registering volunteers to provide stewardship services; (2) delegating direction, control, safety and supervision of the volunteers to the nonprofit organization; (3) developing accounting and reporting procedures as required in subsection (b); and (4) considering the volunteers, while acting within the scope of volunteer responsibilities for the department or the nonprofit organization, whether or not under delegated authority from the department, as public employees within the meaning of chapter 258. In a civil action involving a volunteer who is considered a public employee, the department may assert any defense or limitation on liability that the volunteer could have asserted under federal or state law.